THE

TEST

OR,

TRYAL

OF THE

Goodneſs & VALUE

OF

Spiritual-Courts,

IN TWO

QUERIES:

I. Whether the Statute of 1 *Edw.* 6. 2. be in Force (againſt them) *at this day*, Obliging them to *Summon* and cite the Kings Subjects (*not in their own Names and Styles*, as now they do, but) in *the Name* and Stile of *the Kings Majeſty* (as in the Kings Courts Temporal) and *under the Seal of* the Kings Arms?

II. Whether *any* of the Cannon-Law, or *how much* of the *Cannon-Law* is (at *this day*) the Law of *England*, in *Courts Chriſtian*?

Highly neceſſary to be Peruſed by all Thoſe that have been, or may be Cited to Appear at **Doctors Commons**.

By *EDM. HICKERINGILL.*

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UMI

Suavi Devinctissimo Sodalitate Amico meo;

A. B. Utriusque Juris Professori.

Ægre jam Quæstionum istarum, quas floccitatis meæ Disquisitioni (Desiderii tui in me non acuminis Indicium) tanta voluptate subjici gestivisti Jugiter, Tandem, non sine Ingratæ Invidiæ Subsequentis Intuitu, Luce (ut omnium Provocet) examen gaudet Impetratum.

Quod cum Ecclesiæ pace Profertur nostræ Indigenæ, bonorumque Auspiciis, Bono Publico Pacisque Communi consulere, Dominationi saltem vestræ (ne dicam) omnibus (quorum non sunt aures veritati clausæ) Conamen nullus dubito pergratum.

Palamque in otio meo & sollicitudine (quam non languere patior) omnium Intuli oculis, ne versutior & callidior & hoc tanto Invisior & suspectior (nec interea temporis mihi, Patriæ, *aut* Ecclesiæ *defuisse) videar.*

Præsagienti *verum animo, non sum nescius quam diversa sunt hominum studia, meque in tempore non magis opportuno quam difficili hæc disserere (Haud enim is sum qui definiam) Impedito quidem (quid mirum?) scribendi stylo non tam præ literarum impotentiam solummodo, quam præ glissentem* Indies Invidiam *& lascivientem in hominem, umbra & recessu abditum &* Turbarum Contumeliarumq; *nuperarum non* Insolentem; *sed an majori* Justitia *an* Procacitate *apud* Posteros Judicium *esto.*

Obganniant interea loci & pro consuetudine detrectent perfrictæ frontis rabulæ: Tales etenim, ut malitia convitiisque coram vel clanculum desistant, ambire vanum habeo.

Nec tot adversis Impar gravate processus eorum Renuo; *nec hanc* Perperam, *sed* Fide (*uti* Spero) *spectata Capessui* Provinciam.

Hic tamen ſeqvor Eminus (*nec inhoneſta cautela*) Veritatem, *in* Tramite *verum* (*uti pār eſt*) *licet non ad Calcem* (*quod aiunt*) Temeratam.

Hic namque Veritas *non tum limatur quam ad guſtum Communem accommodatur* Oratio.

Ideoque Diſputator non tam Subtilis quam pro re Nata Aliis parumque Vehemens (*quanti quanti ſit* Veritas *vendicanda*) Pacis Colendæ *cauſa haberi videar, utcunque.*

Londini *Tertio Iduum Anno Salutis.* $168\frac{2}{3}$.

Reverentiæ Veſtræ

Addictiſſimus,

EDM. HICKERINGILL.

THE

The TEST:

OR,

TRYAL of the VALUE and GOODNESS

OF

SPIRITUAL COURTS

Querying

I. *Whether the Statute Anno* 1 Edw. 6. 2. *be in* Force, *againſt their Eccleſiaſtical Proceedings* at this day.

CHAP. I.

THis hath been an *old* Queſtion (and never, as yet, Judicially determin'd) and therefore cannot be accounted a *bold* Queſtion: much leſs is it moved unſeaſonably.

Men that paſs *quietly* by, making no noiſe, but, *cover'd with* darkneſs and *the Night*, and creeping on their way, *as it were by ſtealth*, may poſſibly *paſs the Guards*, without the trouble of being *challeng'd* by the watchfull *Centinels*, or of being *forc't to ſtand* and tell *who they are*, whence *they came*, or *whither away*; But if they *make a buſtle*, and a diſturbance, It *Alarm's Examination* to pry into their ways, and to enquire *whether they have a Lawfull Paſsport* from God, and the King, or from *one of them*.

Time was, when *Eccleſiaſtical men did their buſineſs*, and carryed on *the Money Buſineſs* (not very unſucceſsfully) but *without noiſe*, hanging down their heads when the Regiſter went to Church accompanyed only with (his two drudges) *The Surrogate* and the *Summer*; then calling *a Court* in haſte, SUMMER and with a greater haſte adjourn'd, before the naughty boys and rabble had notice, or could rouſe themſelves to Hiſſe at them, getting as *ſafely* as *ſecretly* to their Lodgings, where *picking up* a few groats amongſt eaſy Church-Wardens, nibling at Procuration money, and Viſitation money amongſt the Parſons, (that for fear of a worſe turn, deliver'd their purſe) which with ſome *Driblets* for Licences of Matrimony, and Adminiſtration-Money, paid *Riding Charges* and the Reckoning *well enough*, and ſomewhat to ſpare, the Regiſter (departing *well lin'd in Body and Pocket*) march't away *as chearfully* as *ſecretly*, making *as little noiſe* as poſſibly he could.

But when the *Paſtoral ſtaff* began to play *at quarter ſtaff*, driving *whole Flocks* before it (by flocks) to *Pound*, and ſeeming to *make a blow at the ſpirit* and Soul (which no *mortal* blow can *hit*, being ſituated too high and out of

 reach)

reach) The ſmart was felt *upon the Fleſh*, and the ſtrokes *fell heavy upon the outward man, depriving men of* Priviledges and *Temporal* Liberties, Birth-rights, and Franchyſes *as Engliſhmen*; of Votes, Elections, and Benefits, as *Citizens, Free-Denizons, and Free-holders*; of their debts, and all benefit of the Law, as *Creditors, Witneſſes* and *Jury-men*; and of diſpoſing of their *Eſtates*, by Will and Teſtament, *as Teſtators*; no wonder if it rowzed Examination, to enquire whether the *Lightning* be compos'd of *culinary fire* and Kitchen-ſtuff, rather then of Heavenly Rayes; becauſe *Celeſtial Lightning* melts *the Sword* without ſinging the *Scabbard*, and ſtrikes at the *Life and Soul*, mortifying it, without leaving any *Impreſſion upon the Body* and outward man.

Nay further, when the *Cry*, becauſe of Eccleſiaſtical Oppreſſions and Extortions (in illegal Fees for Probate of *Will's*, Adminiſtrations, *&c. contrary to* and in *Defyance* of the Statutes of this Realm) *grew ſo loud*, and *notorious*, that it *ſounded and rung all* the Kingdom *over*, moſt men were *the more willing* to pry into their *Conſtitution*, and examine their *Groundſell*, whether all be *ſound and right at the bottom*, when ſuch Ruines and Dilapidations appear *above ground*, Ay, and to bring *Indictments* againſt many of them, which *undid ſeveral of them*, for their Extortions; and *moſt juſtly* did they ſuffer, and *none to pitty them.*

For men *give Law* to Hares and Deer, but they catch the *Ravenous* and *Rapacious* (the *Poll-Cat*, that ſucks the Eggs and ſpoils *the young Brood*; The *Badger* (too) that worrys the poor Lambs) *when* they can, *How* they can, and *As ſoon* as they can; And who *ſo poor* as not to contribute his penny, or *ſo ungrateful*, as not to be Civil, (at leaſt) and a *Well-wiſher to the Fox-catcher*, and that he may proſper, *praying for his good ſucceſs* in hunting down the noxious Game, *an Employment*, not *more pleaſant and Gentile*, then uſefull and *ſerviceable to the Commonwealth* and publick good:

Even ſo, The wiſe States-men have made ſuch excellent Laws againſt *Oppreſſors*, Extortioners, *Promoters*, Suborners, *Common Informers*, and the like Animals (that *rend and tear* the Kings poor Subjects and Lambs) that Encouragement is given by the ſame Laws to every right *Engliſhman* and *true Proteſtant* (that will put the ſame in Execution againſt them) he ſhall *not only* benefit the publick but *himſelf alſo*; and *deſerve well* of his King and Countrey.

For who can, *without great Regret* and check of Conſcience, *connive* at, much leſs *Countenance* ſuch publick Scandals, *Oppreſſions*, Grievances, *Offences* and Delinquency's?

Did our bleſſed Saviour or his holy Apoſtles *curſe* them that *refus'd to pray* with them, or refus'd to *hear them* preach? and yet they were infallibly in the right.

Some of the *more furious* Zealots amongſt his Diſciples (*once, and but once*) call'd for fire from heaven to *conſume* thoſe that rejected them, (as *Elias* did:) but our Redeemer preſently *Rebuk't the evil Spirit*, and caſt it out of them, ſaying, *Yee know not what manner of Spirit ye are of.*

Did the Apoſtles *drive men* to Pound, or the *Jayl*, with *any or all* their Eccleſiaſtical rods, and then *replevy* them, and *redeem them*, but never without *Money* in the caſe?

Did Chriſt or his Apoſtles (whoſe *Poverty and Self-denyal*, (taking up the *Croſs*) was a *qualification* as abſolutely *neceſſary* for a Follower of Chriſt and *Succeſſor of the Apoſtles*, as was *Faith, Hope and Charity*) did they by any *Eccleſiaſtical Engine* feel their Pockets, get dominion, *or wreak their malice* and revenge, *or truckle to Polititians* to make their Spiritual Weapons *Tools of State*, wherewith to do a *State-Jobb?*

Did

Did they either make *money of Souls* or of Sins? Did they call to the *Jaylors*, Hang-men or *Bumbaylies* to come and help them, and *lend them a hand* to carry on the Goſpel? Did they either *force or fright* men to Heaven? or *ſcare them out of their Wits*, or out of their *Conſciences*, or out of their *Purſes*, or out of their *Freedoms*, Liberties, Eſtates, *Birthrights* or Temporal Inheritances? *which*, (he confeſt himſelf) were exempt from his Eccleſiaſtical Juriſdiction, not hooking it in, as the Pope and others, do, with the old Popiſh Cheat——*in ordine Spiritualia*: taking away their *Temporalities* in order to their *Souls* health: Our Bleſſed Saviour taught us *not this cunning*; nor theſe *medendi methodos*, new ways of Cure; and Arts Empyrical.

Men *never ſooner cry out* then when pincht of their Liberties, or *pincht by the Pocket*, eſpecially if *Spiritual-men* be active in it, they are apt to cry——*By what Authority do you theſe things, and who gave you this Authority?*

The *old Prelates* (in King *James* his Reign) calling themſelves *the Church* of *England* in their *Articuli Cleri* preſented to the King and Councel (againſt *all the Judges*) confeſt judiciouſly, where their great (*Sampſons*) ſtrength ingennously lyes as to their *Eccleſiaſtical* Juriſdiction, *not in the leaſt* mentioning *God*, nor *Chriſt* therein, neither the *Prophets*, *Apoſtles*, nor the *Goſpel* for it (their modeſty is Commendable, becauſe *no ſuch Eccleſiaſtical Juriſdiction*, Spiritual nor Temporal, is found in the Holy Bible.)

But, very plainly and open heartedly they avow, *without diſſembling* the matter *in the leaſt*, That the chiefeſt Temporal *Strength of their Eccleſiaſtical Juriſdiction*, is Impriſonment upon the *Writ de Excommunicato Capiendo*.

Implying that, if their *Sampſon's-Locks were cut*, they would become *weak as other men*; And if this Royal Statute 1 *Edw.* 6. 2. be in force, *all their Proceſſes Eccleſiaſtical*, Significavits, *Certificavits*, *in their own name* and not in the Kings name, muſt all be *illegal*, and conſequently *all Capiaſſes* and Impriſonments thereupon, *Illegal*, and ill grounded; Therefore no wonder if men concern'd do *ſtand up ſtoutly to keep* this Law *down*, (For if it *riſe up in Judgment* againſt us, what will become of us) or if all *the ſtanding in the world cannot bind it down*: (For the Law at long run is too hard for any man alive) I profeſs, *The old Prelates knew how it concern'd them* to huſh it down, when it ſeem'd to *riſe up to fright them* by being unlooſned *primo Jacobi*, having long been fetter'd and bound down *primo Mariæ*.

And it was honeſtly done of them to confeſs that *their ſtrength did lie* in the Writ *De Excommunicato Capiendo*; why ſhould men ly for the matter? eſpecially in a caſe ſo plain and palpable? *We are all agreed* that Commiſſaries, *Officials*, *Proctors*, *Regiſters*, Sumners, and all that drive that Sell-Soul Trade, are not found in Gods Word.

If therefore it ſhall appear (before we have done) that they are *not of the King neither*, prethee tell me, (if thou canſt) who they *are of*?

This Province (I know) would be beſt managed by a *Lawyer*; yet it is *not his Peculiar*, nor *Exempt* from the proper Cognizance of a *Divine*, eſpecially in Reference to ſuch Statutes, (as this of 1 *Edw.* 6. 2.) which relates *only to Divines* and their Surrogates; (eſpecially to ſuch Divines as I am, (to wit) a *Bencher*, and *Judge* Eccleſiaſtical.)

'Tis true, *I only ſtate the Caſe*; for it is the Kings Judges that (*onely*) *ought to determine its* Validity; (*may declare the Kings Laws*) And well are they called in Law his *Locum Tenentes*, becauſe by *Partiality*, Timidity, *Corruption*, or *Injuſtice*, they have not only been *charg'd* with breaking *the King's Oath*, (thereby) *as well as their own*; but have had *their Necks broke* at the Gallowes, for their pains; Nor ſince this queſtion was firſt ſtarted, 4 *Jacobi*, did any of them (*I will not ſay*

say they durſt not) decide this *Quere* Judicially? For the Judges may declare the Law, but never a man in *England* can either *make* or *Repeal* a Statute, (out of Parliament) 'tis *Fatal* to him, if he attempt it.

And, I'le *ſpeak a bold word*, I believe the Ingenious Reader will conclude (before I have done,) that all the men in *England* are *not able to ſpeak one reaſonable word* againſt the Validity of this *Royal Statute*, thought ſo *neceſſary* for the Preſervation of the King's Supremacy and *Royal Prerogative*, (after the *Popes-head* was *decollated*) that it was the *firſt Statute* that ever was made (except that concerning the bleſſed *Sacrament* to be taken in *both kinds*) after the Reformation, In the Reign of *Edw.6.* For his Father *Reform'd indeed* the *Monaſteries into his Pocket*, but liv'd and dy'd a *Zealous Papiſt*.

CHAP. II.

AND if in handling this *Serious and Solid* Argument, The Reader happen to meet with an *Angery* expreſſion ſometimes, which he deems *too light*, *for the Gravity* of the matter in hand, let him know there is not a word here writ, *till well ponder'd, and of Set-purpoſe*

angery

For which mixtures, I have the *Oracle of the Law*, the moſt incomparable (*Cook*) for my *Warrant* as well as *Copy* and Preſident; recommending the *plain down Right* Arguments of Law (*in his Inſtitutes*) by *Interlacing* them with Poetry and vivid Humanity, therefore rendring them *more Amiable* and acceptable,

Or, (if you pleaſe) He *Damask*'s and *Waters his* beſt and ſtrongeſt *Stuff*; And I (to ſpeak *in his* own *Phraſe*, I mean, the *Cooks Phraſe*) will *Lard* my diſcourſe, where I liſt. And though I have not the skill to do it *Cook-like*, I hope, *not Slovenly*, *Though* 'tis but to *make it go* the more *merrily down*.

embelliſhments

Not that I take either Care, or *beſtow any pains* upon *Emblemiſhments* to pleaſe any mans *Guſto*, but, if they readyly and naturally come to hand, and but *pleaſe my own Pallate*; be they *ſalt*, bitter, or *Tart*; no matter, though they diſreliſh a *dull* Phlegmatick or *Inſipid Taſte*; I have *no ware to ſell*; nor other deſign, *In this Treat*, but the diſcovery of Truth and Law; And what's that to any man how I *Cook my own Dyet*? wherefore I will *State the Caſe* Impartially, *not omitting any thing* that the Lord *Cook* ſays *againſt the Validity* of this Statute, but will *Improve all* he ſays, to the utmoſt; If I do not, let any man make *more of them*; when I have done.

Some *honeſt Lawyer* might have been ſo good as to do this *ungratefull Work* to my hand (but the *Drug* and *ſloweſt Sailer* of the whole Fleet uſually *carrys the Light*) *moſt of the Learnedeſt* of them declare (*boldly*) in their *Chambers*, for the *Validity* of that famous Statute. 1 *Edw.* 6. 2. as well as for the *Reaſonableneſs of ſuch a Law*; for if the *Eccleſiaſtical Courts* be the *Kings Courts*, as well as are the *Temporal*, why ſhould not the Original or Judicial *Writs* and *Proceſſes* run in *his name*, in the *Eccleſiaſtical* Courts, as well as in the *Temporal*?

But, though this (and a great deal more to this effect) *be true*, yet men are ſo *Timerous* and wary, that though they thereby get onely *Polephemus his Mercy*, to be one of the *laſt that ſhall ſuffer*, ſtaying onely to ſee their fellowes executed, yet they are loth to come into the Liſts to try the Adverſaries ſtrength, wanting that which is one of the four Cardinal Vertues, *Fortitude*; without which no man can be a good Chriſtian.

A Coward may be a *Gnoſtick*, or *Summer Chriſtian*, namely a Profeſſor of Truth *Till the Storm of Perſecution come*, but *then*, the Fox keeps in his

hole,

hole, resolved, as long as he can, to *sleep in a whole Skin*. Faint hearts! they are *Well-Willers* to the Mathematicks, they can look *on*, (as they pass by,) and *see the Cudgel-play*, and *with Favour*, to that side *they like*, can applaud and cry——*Euge!* well struck! In troth *That was a home-thrust*; That was *well-followed*; That was a *Down-blow*, at them again! *my Heart!* But, they dare as *well eat their Ears* as come into *Ring* and take up the *Cudgels*; though *the Lubbers* have more *Strength* then they that *play the prize*, only they *want a good heart*.

Pope *Sixtus* 4. was first a Gray-Fryar of St. *Francis*, And from the *Cloyster* mounted into the *Holy-Chair*; To whom, *amongst others*, *came to visit him an old Comrade* of his, a *Franciscan* Fryar of the *same house*, in his *old Cordelier's habit*, which the Pope had *newly* thrown off. Treasure of times.

Glad was the Pope to see *his old Comrog* —— *not* so much for *the Fryars sake* as his own; That his *Quondam Brother* might *behold his Glory*, and the Splendor of his Equipage in all *his Pontificalibus*:

To which purpose, the Pope *conceal'd nothing* of his stately Pride and Pomp, but shew'd the poor Fryar *all his Precious stones*, Chambers of State; Thrones, Miters, Jewels, and Robes, *not omitting the Golden Slippers* that Enshrin'd his sweaty Toes and Cornes; *at last*, shew'd him *his vast Treasures*, a vast *Masse of Gold* and Silver heaped up together: (as who should say) *Brother that was! The Game is alter'd since I wore* a Circingle with you *in the Fryary*; for (quoth the Pope) I *cannot now say* (as *Peter* did) *Silver and Gold I have none*.

No, (Replyed the Fryar) *Nor can you say* (as he did) *to the sick of the Palsey*, (Lame and Impotent People) *Arise and Walk*.

This bold Answer lost the poor Fryar a *Cardinals Cap*, and a pair of *Lawn Sleeves*, which the Pope *had laid out* and design'd for *his old acquaintance*, in remembrance of many a Waggish-*prank they had plaid* together in the Monastery; but this *Plain Truth* spoil'd all, and the Fryar sent home, as poor as he came, and as a *fellow not fit for his* purpose, not having the wit (or Gift) *of cogging*, lying, flattering and dissembling, *nor meet for a Courtier*: And *as glad was the Fryar* that his Holiness did not *jayl him, for so much Honesty* and naked Truth.

Though *the Wise and Wary*, The *Time-serving Tantivees and the Timerous*, will joyn together to *condemn the poor Fryar* for a *fool*, that had so *little wit* as to loose his Preferment for the sake of a little *Truth and Gospel*, and telling his *Popeship* his own.

Just such another Fool am I, *in their opinion* that know nothing but *Worldly Wisdom*, which *is enmity with God*; why? *Do you think I did not foresee all this* Storm that has *tost* me, (*not wrackt me*) long *before it came*; And let it *bluster*, Gods Will be done. *I thank God for this Grace*, The Ecclesiastical-men *cannot plague me* with so much *courage* and *comfort* for exposing their oppressions, *extortions*, and vexations of the Kings Subjects, in defyance of the Laws, as I can chearfully and *patiently suffer*, for the sake of *Truth* and the *Laws*.

Yet, will I not *break one* Law, whilst I *vindicate another*; nor did I ever write *any thing* which is not justifyable by Law.

For *I could find in my heart* to deliver my self *into their hands*, if it be but for an *experiment* to try *how much* Eccleiastical *Clemency is improv'd in Christianity and Humanity* since the blessed days of *their Predecessor* Bishop *Bonner*.

Not but that *I am well and warm*, which I speak *not in vapour*, (far be the *Imputation of such vanity from me*) but to the praise of *Almighty God's Protection*, which I know he will *continue*, and I shall *certainly overlive their rage* except God see it *more for his Glory*, and for the *Promulgation of Truth*,

 that

that I ſhould *ſeal it*, with *ſuffering for it*; of which I am ſo *Indifferent*, that I know not *which is beſt*, nor would I be *mine own Carver*, Gods Will be done: they alwayes *hitherto have* (and alwayes will) hurt themſelves more *than me*, let them be as *cunning* and *cruel* as beſt like, or as God will permit.

And this I ſay (the rather) for the *encouragement* of all that ſuffer for *Truth and a good Conſcience*, (whatever other *Stratagems* they have *for the pretence of their rage*) let no mans heart therefore fail *becauſe of me*; for I was never better in my life.

And indeed, if this Statute of *Edw. 6.* be in force, *no name is bad enough for Eccleſiaſticals*, but we ſeem the moſt *Impudent Conventicle* of Inſolent men that ever did bid defyance to the Law, or *vext the Kings Subjects in our own names by vexations, Citations* and oppreſſions, Excommunications Significations and *Impriſonments*; for which no *Puniſhment* ſeems ſatisfactory in *this World*, ſo it do but ſpare our Lives; we are in *miſericordia Regis*, and have forfeited all but *our Lives*, if that Branch of that Statute be in force. In the *Interim*, God keep me out of the enemies clutches though, For I think, I know ſufficiently what Eccleſiaſtical Clemency is, if they get a man at *their mercy*; women and timerous men are ſaid to be moſt cruel, *when they get a man down*, they never think themſelves ſafe, till he be made ſure for ever riſing up again; but, if they had not run to *Weſtminſter-Hall, cry'd out* there for help, againſt me, I could have dealt well enough with them *till they had been Tyred*, nay, They knew it as well. But *no more of that* at preſent, *for their buſineſs was never ſo fully* and compleatly done as *now*. Take my word for it.

CHAP. III.

THe Branch of the ſaid Statute, 1 *Edw. 6.* 2. now to be conſidered, is this, *verbatim*.

BE it therefore further Enacted by the Authority aforeſaid, That all Summons and Citations, or other Proceſs Eccleſiaſtical, in all Suits and Cauſes of Inſtance, betwixt Party and Party, and all Cauſes of Correction, and all Cauſes of Baſtardy or Bigamy or Inquiry de Jure Patronatus, Probates of Teſtaments, and Commiſſions of Adminiſtrations of Perſons deceaſed, and all Acquitances of and upon, accounts made by the Executors Adminiſtrators, or Collectors of Goods of any dead perſon, be from the firſt day of July next following, made in the name and with the ſtyle of the King, as it is in Writs Original or Judicial, at the Common-Law; And that the Teſte thereof be in the name of the Arch-biſhop or Biſhop, or other having Eccleſiaſtical Juriſdiction, who hath the Commiſſion and grant of the Authority Eccleſiaſtical immediately from the Kings Highneſs; And that his Commiſſary, Official, or Subſtitute exerciſing Juriſdiction under him, ſhall put his name in the Citation or Proceſs after the Teſte.

Furthermore, be it Enacted by the Authority aforeſaid, that all manner of Perſon or Perſons, who have the exerciſe of the Eccleſiaſtical Juriſdiction, ſhall have from the firſt day of July before expreſſed, in the Seals of Office, The Kings Highneſs Arms decently ſet, with certain characters under the Arms for the knowledge of the Dioceſs, and ſhall uſe no other Seal of Juriſdiction, but wherein his Majeſties

jeſties Arms be ingraven, upon pain that if any perſon ſhall uſe Eccleſiaſtical Juriſdiction (after the day before expreſſed) in this Realm of England, Wales, or other his Dominions or Territories, And not ſend or make out the citation or proceſs in the Kings name, or uſe any Seal of Juriſdiction, other than before Limited, That every ſuch Offender ſhall incurr and run in the Kings Majeſties Diſpleaſure and Indignation, and ſuffer Impriſonment at his Highneſſes will and pleaſure.

Now, *what is there in all this* that ſhould make a man loth to act in the *Name and Style* and *Seal* of the Kings Majeſty? (and not in the *old method*, when a Prieſt was the head of the Church) if there were not ſomething in *the hollow* of his Heart?

They *do not pretend* (as aforeſaid) that their *Spiritual-Courts* are named in *God's Word*, if therefore they be the Kings-Courts, what, *in the name of goodneſs*, makes them unwilling that their Proceſſes, Citations, and Summons Eccleſiaſtical ſhould not (as *other Writs Original* or Judicial, in the *Kings* Common-Law Courts) run in the Name and Style and Arms of the Kings Majeſty?

Edward 6. was the firſt *Proteſtant-King* ſince the Reformation; For though King *Henry* 8 (as I ſaid) *Reform'd* the luſtful Monaſteries, yet he neither *reform'd his own* life thereby, nor his Popiſh opinions. But his Son was likely to be a happy Inſtrument of good to this Nation; Whatever Doctor *Heylin* (the darling Advocate of ſome Biſhops) hath had the Confidence to Print to the contrary, who in the Epiſtle before his (pretended) *Hiſtory of the Reformation*, expreſly affirms----That he *cannot reckon the death, of King* Edward the *Sixth, for an Infelicity to the Church of* England; How Sir! was it not an Infelicity to the Church to loſe ſuch a King? To have the hopes of a glorious *Reformation* nipt in the very Bud? To have a fearful deluge of *Blood and Idolatry* ruſh in upon us by a *Popiſh Succeſſor?* But what will not the *Craftſmen* of *Epheſus ſay*, when they fancy their *Shrines* in hazzard? And how ready, alas! are ſuch as think Lordſhips, and vaſt Revenues, and dominering power the Churches (*only Felicities*) to Reproach and Scandalize (even in Sacred Princes) the cleareſt *Innocence*, and the moſt ſolid *Piety*, and the brighteſt *Zeal?* But God be thanked this Cenſure of Noble King *Edward of* Bleſſed Memory, is but one *Doctor's opinion*, and I know not an other *honeſt Proteſtant* at home or abroad that will ſubſcribe to it.

The very firſt Statute that the Parliament made (as I ſaid before) in this good Kings Reign, was this that we are now conſidering, (except *one onely* concerning the Bleſſed Sacrament, and receiving it in both kindes, *with which* they as *piouſly* begun, and their next work was this Regulation of *Spiritual-Courts.*)

For it *ſeems very abſurd* that if the *Eccleſiaſtical-Courts* be the *Kings-Courts* and not the *Prelates-Courts* (which they *dare not in* plain words deny) That the *Writs* thence *Iſſuing* ſhould not be in the name and ſtyle of the King, the *Eccleſiaſtical-head* as well as the *Temporal.*

Nevertheleſs, never ſince *King Edwards Reign*, could the Prelates be perſwaded to act in the Kings-Name, but in their own:

Every thing would gladly be Independent, and Noun Subſtantives, And, like reeling Drunkards, ſcorn to be held up, though they cannot ſtand by themſelves,

And though *this Statute was Repeal'd* in the next Reign by a Popiſh Succeſſor, yet King *James* in his firſt Parliament (In the firſt year of his Reign)

reviv'd

reviv'd this Statute, by *making void the Force* of that Statute, 1 *Mar.* 2. which had long held it under *Reſtraint* and made it *Motion-leſs*. But thoſe *bands being Looſned* (by Repeal of 1 *Mary* 2. in and by vertue of the Statute *primo Jacobi cap.* 25.) It was thought to be *reviv'd by the two Lord Chief Juſtices*, at the firſt; in the fourth year of King *James*. But, when the Lord *Chief Baron* and other *Judges* had conſider'd the *Prejudice* that might redound to the Kings Subjects if ſome Dioceſſes had no Lawful Biſhop, and conſequently all the Prieſts ordained by ſuch Biſhops (at leaſt) as were made *ſince the firſt of the King*, namely, the three laſt years, muſt be *Illegal Prieſts*, and Illegal Biſhops.

And many other Inconveniences muſt enſue, if the 1 *Edw.* 6. 2. ſhould be deemed to be *in force*, to *the great Scandal* and Impeachment of *his Majeſties Juſtice*, which, *together with the great Influence* the Biſhops had *at Court* (In the three laſt reigns,) together with the *Terror of the High Commiſſion Court*, The buſineſs was *Huſh't up*, pretending that it was repealed and *bound down* with a three fold Cord, (as *Coke* is pleaſed to phraſe it, 2 *Inſtit. fol.* 685.) or three after Statutes, *viz.* 1. firſt, by 1 *Mar.* 2. Secondly, by 1 and 2 *Phil.* and *Mary* 8. Thirdly, By 1 *Eliz.* 1.

And if *any one of theſe* do but hold, the Statute of 1 *Edw.* 6. 2. muſt ſtand Repealed; But as *drowning men lay hold* of any Root, or knubs (though under water, and does but *help to drown'd them*) ſo men that are plung'd into *a Neceſſity to hold the Concluſion*, they are very willing to gain it, *upon any Premiſſes*, how ſophiſtical ſoever.

Nalſon in his late *Collection of affairs of State*, fo. 763. undertakes to recite this Conſult of the Judges. 4 *Jacobi*, as (he ſays) he finds it in the *Paper Office*, and tells us, That the being of this *Stat.* 1 *Edw.* 6. 2. in force was *Long* ſtuck upon, but AT LAST an Anſwer was *found*——So that it ſeems there was much longing and abundance of ſeeking for an Anſwer, that is to ſay, for any plauſible pretence to avoid this Statute, and at laſt and with much ado, ſomething (as good as nothing) was found; for he furniſhes us but with two of the very ſame too weak Cords which *Coke* mentions.

For ſome thought they were *hard put to it* for Arguments againſt the force of that *famous Statute*, when they fly for help to the *two laſt Cords* or Ligaments to bind down that Statute, which they *Trembled to think* might be of terrible Conſequence, (if it happen to be in force) notwithſtanding the Strength of the ſaid Cords and Ligaments, none *of which* ſeemed to have any the *leaſt Power* Imaginable to do the feat, if men were not very willing to believe it, *except the firſt Cord*, namely 1 *Mar.* 2. for that does expreſly and by name repeal 1 *Edw.* 6. 2.

And indeed if it had not *expreſly and by Name* repealed it, It could never have been repealed, if, (what Lawyers ſay) be true; That *no Statute can be Repeal'd* but by another Statute, and that *expreſly and by Name*; or be contrary to the former Statute.

For if *Wyre-drawn Conſequences and Inferences* might Repeal a Statute, the Subjects would never know when a Statute is in *Force*.

For let but a crafty Lawyer with an oyly glib tongue uſe his skill, and he may with *Strains of wit*, and ſtretches and Inferences and *far-fetcht Conſequences* and oblique Reflections, make *ſuch a Claſh* among the Statutes one againſt another, that none ſhould ſeem of force, that a cunning *Conſequence driver* had any picque againſt.

But, our Kings and Parliaments have always been more tender of the Validity of their Laws, then to leave them *Tottering* thus at the mercy of every *Inference-maker*,

Eſpecially

Especially, when they draw such Inferences and Consequences as *could not possibly enter so much as into the minds* and Cogitations of the Law-makers, when they enacted and made a Statute.

And this is so clear a Truth, and evident to every man that has but *common sence*, that more needs not be said to it.

For it would be of *most dreadful Consequence* that the Statutes should be *so flexible* as to be made *a Nose of Wax* of, to stand *this way one day*, and *that way* another, just as *Mr. Consequence-maker* is feed to *set* them.

The Dissenters (for their money) might find cunning Lawyers *enough* (perhaps) to defeat the Act of Uniformity, and Repeal it, if *Far-fetcht Inferences* and Consequences would do the feat.

But, God forbid, that the Laws of *England* should have nothing to *stand firm* upon, but *such slippery* ground, made such by an *oyly Mouth*.

If we cannot find 1 *Edw.* 6. 2. repeal'd but by Consequences and Oblique Inferences, we shall make *base Tinkerly work on't*, and to patch up *one hole* of evil Consequences, *make two* of Consequence twenty times more dreadful and pernicious.

Therefore the *best Cord*, and that which seems *most strongly* to make void and of none effect the said Statute of 1 *Edw.* 6. 2. is *indeed that* which can never be deny'd, namely, that the same is *expresly* and by *name* repealed by 1 *Mary* 2. There let it *stand or lie bound* for ever, except we can find its Ligaments and Shackles *taken off*, and *again* set in its pristine Liberty, Vigor, and Splendor.

But, as to those *two latter Cords* that they pretend bind it down for ever by Repealing it, they are thought (by wise men) so *trivial*, that they are not worthy any consideration; and that they were surely *sore put to't* for *shifts*, that made them of such *over-worn* stuff.

CHAP. IV.

FOr how *(in the name of Prudence)* could it enter into the thoughts of *wise* Legislators, *to kill a dead Horse?* Could the Parliament intend by the 1 and 2 *Phil.* & *Mar.* 8. to repeal 1 *Edw.* 6. which was repealed *already*, and made void but the *very year before*, namely, by 1 *Mar.* 2. They could not forget it, it was so lately done; nor can they be accounted so silly as *Actum agere*, and make Laws against *Non Entityes*. The Learned Judge *Hobert* uses a *like Argument* to prove that the King shall have (not only the Estates (*In Fee*) of Traytors, (Estates *in Tail* being not by the Statutes (31 *Hen.* 8. & 33 *Hen.* 8.) by name given to the King, yet) *also Estates in Tayl* why? because there being but *two sorts* of Estates of Inheritance (namely *in Fee*, and in *Tayl*) and the Estates in *Fee of Traytors* being forfeit and *given* to the King *by the Common-Law*, Those Statutes shall not be presum'd *Actum agere*, but shall reach, the other Estates *in Tail*, which the Common-Law did *not reach*.

Hobart in Case Sheffield verſ. Ratcliff.

And by like reason, since 1 *Edw.* 6. 2. is not so much as mentioned or named in 1 & 2 *Phil.* & *Mar.* 8. except by *Inferences and Fetches*, deduced from the Stile and Latitude of those words.——*All Statutes made against the See of Rome Repealed*; There is Life in a Mussle. For the said Statute did not think sufficient for their Repeal by *General Words*, but do therefore name *particularly and Expresly* what Statutes they mean to Repeal namely, 25 *Hen.* 8. 9. & 24 *Hen.* 8 12. with almost a score more, (amongst which, my dear

Statute of 1 *Edw.* 6 2 is *not Named*) and therefore can never be repealed thereby, nor could be intended to be repealed thereby.

But, some have said, that there are (in 1 & 2 *Phil.* & *Mar.* 8. *expres's words* that do Repeal by *Consequence* the Statute of 1 *Edw.* 6.2. namely these words,

AND the Ecclesiastical Jurisdiction of the Archbishops, Bishops and Ordinarye to be in the same state for proces of Sutes, punishment of Crimes, and Execution of Censures of the Church, with knowledge of causes belonging to the same, and as large in those points as the said Jurisdiction was in Anno 20 Hen. 8.

To which it is readily answered, That the Ecclesiastical Jurisdiction was thereby made *Valid and Powerful* as it was in Condition and State, as to Proces of Sutes, Censures, *&c.* In the 20 of *Hen.* 8. And yet the manner of their Processes as to the Name and Stile might well enough differ.

For no man can *rationally* say that the Proces of Suits, punishment of Crimes, and execution of Censures of the Church are not in the *same State* all over *London*; yet the Processes of Suits run not in the same name and Style, but sometimes in the name of the *Bishop*, sometimes in the name of his *Arch-Deacon*, sometimes in the name of the *Vicar-General*, sometimes in the name of the *Official*, *&c.*

Therefore this *far fech't Inference* (strained and stretcht) is too *short* to reach a Blow, or so much as to *touch* that part of the Statute of 1 *Edw.* 6. 2. concerning the use of the name, style, and Arms, in the Citations and Processes Ecclesiastical.

Nay more, It is evident (also) that the Popes Authority, Supremacy, and re-establishment might well enough consist with the use of the King's Name and Style, in Processes Ecclesiastical, as well as with *Exton's name*, or *Pinfold's* name; or any other Lay-Commissary's name in the Time of Popery.

If you say, Yes, but the name of the King's Majesty in a Writ or Proces looks like an *Avow* or *Tacite Recognition* that the Courts-Ecclesiastical are the *King's-Court s*; I readily grant it, and therefore, it argues the *more strongly* for the reasonableness and great Expediency of that Statute, that well enjoyns His Majesties Name, Style and Arms in Courts Ecclesiastical, *If they be the Kings-Courts Ecclesiastical, and His Majesty Head of the Church*, as he is of the State.

This Statute then of 1 and 2 *Phil.* and *Mar.* 8. does not so much as by *Consequence* repeal 1 *Edw.* 6.2. Yet I well know what my Lord *Coke* says to it, and do better know that he *durst say no other then* he did, so terrible then were the Prelates, *looking bigg and formidable* in their *High-Commission-Court and Starr-Chamber.*

Coke Mag. Chart. p. 685. Otherwise, a man *of his sence and acute reason* could not have talkt (as he does) of the dreadful *Consequences*; if that *Statute of* 1 Edw. 6. 2. *be in force, to the* Infinite Prejudice *of His Majesties Subjects in cases of great Importance, and to the Scandal and Impeachment of His Majesties Justice*, &c.

For I'le *secure the Scandal* and all the dreadful Consequences, before the Reader has turn'd over many more Leaves of this little Tract; if the Oracle of the Law, the Learned *Coke* be not mistaken. And if the Bishops (in 4 *Jacobi*) had not had somewhat else at *the bottome* (which I care not to name) we should have had and still have as good Bishops and Priests as ever we had, if that be all the Objection, that the Statute of 1 *Edw.* 6. 2 (as to the use of the name and style of the King in Processes Ecclesiastical) will make us loose *our Priests and Bishops* (God bless us, we are not so

so *lost and undone* as yet; if (I say) *Coke* be not out of his Law; in *this particular*; the *Learned* are affraid he warps.

But a Statute may by express words, in after-Statutes, be repealed in part and in a Branch, and not alwayes in the *whole*; as is easy to instance in many *Crowding Presidents*.

And, *Coke* says, the Arch-bishops and Bishops would *all be illegal* if they were made *according* to our Celebrated Act of 1 *Edw.* 6. Because

Though it be not repealed, yet the 1 *Eliz.* 1. reviving the Act of 25. *Hen.* 8. 20. is thought to vacate so much of it as concerns the making and constituting Bishops. *Chart.* p. 686.

And therefore King *James his Bishops* should not have needed to have been so scared and affrighted (as if the Sky had fallen) when the 1 *Edw.* 6. 2. was reviv'd by King *James* his repealing 1 *Ma.* 2. if the Lord *Coke* say true.

For Queen *Elizabeth* had secur'd his and her Bishops by reviving her Fathers Act concerning *Bishop-making*, in these words;

And at every Avoydance of any Arch-bishoprick, Bishoprick, The King His Heirs and Successors may grant to the Prior and Covent (we have got none now) **or to the Dean and a Chapter a Licence under the great Seal,** &c. **containing the Name of the person which they shall Elect and choose,** &c.

A pretty kind of Election! for they shall *neither will, nor chuse, nor dare to refuse* him that is nominated in the Letters missive; yet it is called an *Election though*, although it be whether they will or no.

Bishops then shall not need (if *Coke* be not mistaken) to fear, but they are well enough made, though I wish (with all my heart) that some of them were *made better*, for their own sakes, and for my own sake. There's no harm nor scandal in this Prayer, I hope.

But still, what's all this to the contempt of the Statute of 1 *Edw.* 6. 2 as to the use of the name, style, *&c.* of the King in their Summons Ecclesiastical, if that Clause (in 1 *Edw.* 6. 2. be unrepealed?

Why? it is repealed in effect (says the Lord *Coke*) by this Clause in that Statute of 25. *Hen* 8. 20. as aforesaid, by 1 *Eliz.* 1. reviv'd, namely, in these words. *Coke Mag. Chart.* p. 686.

And further it is Enacted, that every person chosen, Elected Invested and consecrated Arch-bishop, or Bishop, according to the Form and Effect of this Act &c. **shall do and execute in every thing and things touching the same, as any Arch-bishop or Bishop of this Realm,** &c. **might at any time heretofore do.**

Thus the Lord *Coke* recites that Branch of the Statute, with greater prevarication then became a man of his *Ingenuity*, which herein far surpast his *Integrity*.

The Truth is, a *great Lawyer*, (and the higher he is *staged*) had need to be, of all others, a *good man*, like *Roscius*, of whom *Cicero* gives this Character, — *Roscium ita peritum dixit ut solus esset dignus qui in Scenam deberet intrare, ita virum bonum ut solus esset dignus, qui eo non debeat accedere: Roscius* was such a skilful *Actor*, that he (of all others) did best *become* the *stage*; but so *good a man* withall, that it *was a Pity* he should ever have come *there*. *Orat. pro Rosci referente aug. steno, de consensu Cvauglet. cap, 23. T. 4.*

As the Learned *Coke* does quote the Statute, Arch-bishops and Bishops may, nay, they ought to say Mass, baptise our Bells, spit in our Childrens mouths when they baptise them; and a thousand idle Fopperies more

they

they ought to do, if they ought to do in every thing, as any Popiſh Archbiſhop or Biſhop might at any time heretofore do.

To the great Diſhonour and *Diſparagement* of the *Prudence* and Wiſdom of Queen *Elizabeth* and her firſt Parliament, nay, and of all Parliaments ſince that time.

By *Cooks* Citation of the Statute to ſerve his purpoſe againſt the ſaid clauſe of the Statute of 1 *Edw.* 6. 2. he opens a gap to *let in Popery*, or to *let out the Biſhops thither*, if they pleaſe; if they muſt do and execute in *every thing and things*, as any Arch-biſhop or Biſhop of this Realm might at any time do, before the time of *Hen.* 8.

Story ſays that *Æſculapius* was ſtruck by a *Thunderbolt* for taking Immoderate Fees for a Cure: and ſome men think, that it was either *Covetouſneſs* of a great Huge banking Fee, or *Fear* of looſing ſome Place or Office by diſpleaſing the Biſhops, that *Cook* did not fully and honeſtly recite the ſaid Statute; For the true words are,

As any Arch-biſhop or Biſhop of this Realm, without offending the Prerogative Royal of the Crown and the Laws and Cuſtomes of this Realm, **might at any time heretofore do.**

Which clauſe (by *Cook*) wilfully or weakly omitted and left out, *quite alters the Caſe*, and gives the Arch-Biſhops and Biſhops no power to act, do, execute, or Iſſue out any Proceſſes Eccleſiaſtical, (*as Popiſh Biſhops uſed to do*) in their own Names and Styles, ſealed with their own Arms, and not the Kings Armes, becauſe it is contrary to the Law and Statute of 1 *Edw.* 6. 2 And thoſe Armes are uſually *Papa in Cathedra*; as the Seal of my *Court* in the *Soken* of *Eſſex*, is the *Mitred Pope ſitting in his Chair*; ſo that (ſtill I ſay) The Kings Armes engraven in *all Court-Seals*, would be a good *Recognition* that all the Eccleſiaſtical Courts *are His*; and He *Head of the Church*; as the Popes *Picture* (of old) in Court-Seales, (with the two Croſs-keys in his hand,) did *ſeem to own the Popes Supremacy* and Authority as chief head *of their old* Popiſh *Eccleſiaſtical Courts.*

So that the ſecond and third *Ligaments*, or Cords ſaid to *bind* the force of this Act, (namely 1 & 2 *Phil.* & *Mar.* 8. & 1 *Eliz.* 1.) does *not* ſo much as *touch* upon 1 *Edw.* 6. 2. no not obliquely, *much leſs* do they repeal it *expreſly* and by name; and *leaſt of all* could it be any ways poſſible that the Legiſlators had the leaſt thoughts to ſtrike it dead by 1 & 2 *Phil.* & *Mar.* 8. or 1 *Eliz.* 1. when they knew it was dead and buryed before by 1 *Mar.* 2.

CHAP. V.

THis *Beloved Statute* then is got looſe from the pretended ſhackles that *Phillip and Mary or Queen Elixabeth*, are ſaid to deſign againſt it; alas they could not poſſibly be ſo weak as to plant their *Artillery* againſt a thing that the Queen had ſtruck *dead whilſt ſhe was a maid*, a year before; they had not the leaſt thought of it, I dare ſay for them.

Much leſs had Queen *Elizabeth* the leaſt thoughts of deſtroying this Statute by any thing in 1 *Eliz.* 1. when they very well knew that it was dead or repealed by 1 *Mar.* 2.

And though 1 *Eliz.* 1, does obliquely glance at it, by making the *old faſhion of making Biſhops* Legal, in a Proteſtant Church; yet ſhe does not empower

power (by a revival of 25. *Hen.* 8. 20.) any Arch-biſhop or Biſhop to *tranſgreſs* any Statute *allready in force*, much leſs any Statute that *ſhould come to be in force after* Queen *Elizabeth* was dead and buryed.

Which is the very caſe here; For had *Queen Elizabeth*, as Queen *Mary*, (or any other King or Queen) *by name* (expreſly) *Repealed* this Statute; (with which Cords Learned *Coke* makes *ſuch a Pother* to no purpoſe) yet, by his *own Arguments* all his *Pother is an idle Pother*, and nothing that King *Phillip* and *Mary*, nor Queen *Mary* alone, nor Queen *Elizabeth* alone, nor all of them *united*, can do, is able to repeal 1. *Edw.* 6. 2. for ever.

For if an after-King and Parliament do but repeal their Repeal, the Statute Repealed gets *New Life*, and is born again; as *Coke* infallibly proves and affirms, in his diſcourſe upon the Revival of this *very Statute*: Coke 2d. Inſtit. p. 685, 686.

For he ſays that by the *Repealing of a Repeal, the firſt Act is Reviv'd*; which is moſt true, for *remoto Impedimento reviviſcit Statutum.*

And therefore the *Force of this Statute*, about which *Coke* does ſo puzzle himſelf with this Three-fold Cord, eaſily appears and Breaks looſe; from any Tye that 1 *Mar.* or 1 & 2 *Phil.* & Mar. or Q. *Eliz.* could poſſibly *ſhackle it* and fetter it *with*; which *Shackles* ſhall bind no longer *then till* they or ſome of the ſucceeding Kings and Parliament *do unbind* and take them off.

All which was ſoon done in the *firſt* of King *James*, in his firſt Parliament, Repealing by Name 1 *Mar.* 2. that by Name had Repealed this Royal Statute (ſo advantagious to the Kings Supremacy and Prerogative Royal) and alſo thereby (*through its Revival*) Virtually *Repealing all Precedent Statutes*, whether of *Phil.* & *Mar.* or *Mary*, or Queen *Elizabeth*, that went before it, if contrary to it; or in *tanto*. For in Statute Law (contrary to the Laws of *Heraldry*) The *Junior always takes place* of the *Senior*.

But the Arch-biſhops or Biſhops ought to have uſed their own names, Styles, *&c.* in their Proceſſes, whilſt 1 *Edw.* 6. 2. ſtood repealed, during the Reigns of the two Siſters, *Mary* & *Elizabeth*, and no longer (it ſeems) then till *Primo Jacobi* It was revived.

The *only difficulty* that ever I could find that ſeem'd to queſtion the force of this Statute of 1 *Edw.* 6. 2. Is its Repeal by 1 *Mar.* 2. which though its ſelf be Repealed by 1 *Jacobi*, yet the 1 *Edw.* 6. 2 being not revived *by Name*, therefore *ſome doubt* its vigour, though the *Force it lay under*, be quite *taken away*. Becauſe (ſay they) It is not reviv'd in expreſs words by 1 *Jacobi*. But the Lord *Coke* makes *no difficulty at all* of that, for he has theſe Words on this very occaſion, namely,——

It was ſtrongly urged and enforced, &c. *that all their* (the Biſhops) *Proceſs and Proceedings being in their own Names, Stiles, and Seals, (where by the ſaid Act they ought to have been in the Kings Name) and under the Kings Seale were all unlawful and voyd.* (Ay!)

And to prove that the ſaid Act of Anno 1 Edw. 6. *was now in force, They alleadged that this Act of* 1 Edw. 6. *was Repealed by the ſaid Act of* 1 Mar. *above mentioned, which Act of Repeal being Repealed by the ſaid branch of* Primo Regis Jacobi, *conſequently the ſaid Act of* 1 Edw. 6. *was thereby revived.*

For when an Act of Repeal is Repealed, The firſt Act that was Repealed is Revived——A plain Caſe) Remoto Impedimento Reviviſcit Statutum. *And herewith agreeth the* Book-*Caſe in* 15 Edw. 3. Tit. Petition Placit 2. *And this is true, and cannot be denyed. Thus far* Coke.

Why is it ſo? Then truly I think 'tis no great ſin to be of my Lord Chief Juſtice *Pembertons* Opinion, (I mean) whilſt he was at the *Bar*, urging the force & Validity of this Statute, in Mr. *Wealds Caſe of Much-Waltham in Eſſex*, moving with Mr. *Rotheram* for a Prohibition againſt the proceedings of the Eccleſiaſtical mens Proceſs againſt Mr. *Wealds*, becauſe their Proceſs *againſt him* run in their own Names, & ſealed with their own Seales, and not the Kings-Arms. But, becauſe Sir *William Scrogs* neſtled, and neſtled, and *Scracht his Head*, Sir *Francis Pemberton* (it ſeems) eaſily perceived his *Diſeaſe*, and therefore ſeemed

med to Compassionate the Lord Chief Justice *Scrogs*, by saying, My Lord, I *have urged the Statute* of 1 *Edw.* 6. but I will *not be warm upon it*, because I perceive your *Lordship is not prepar'd at this time* to give it an Answer; or, he used words to the like effect, in Presence of *above an hundred Witnesses*.

The Truth is, the time Sir *Francis Pemberton* urg'd this Statute, was *Parliament-time*; no very seasonable time for a Judge to declare a Statute to be null and void, that never *any Judge* as yet did upon the Bench *take upon him to do*; since 1 *Jacobi* reviv'd it, by Repealing its Repealer 1 *Mar.* 2.

And truly whilst Ecclesiastical-Courts did little else but prove Wills, and now and then get a *few crack't Groats* from a poor fearful Church-Warden, (rather than contend with them) and some such little business, most men *past them by* through contempt: As not daigning to trouble themselves with medling with them; though *in that little* they did, *They oppress* (and still do oppress) His Majesties Subjects most *impudently*, by extorting *excessive Fees*, in despight and defyance of the Statutes to the contrary; *Impudent Registers*!

But there is this to be said for them, by way of Apology, That when they give some hundreds of Pounds for the Sell-Souls-place, they must make their money of *Sins and Souls*; which yet is contrary to their own Canons.

Lyndwood L. v. Tit. 2. cap. pretera.

I profess, I have many times *long together* been puzling my self by studying what those Ecclesiastical-Fellows in *their* Ecclesiastical-Courts *are good for*, or *what one good thing* they do; every Creature of God is good for something; but, now I think on't, they do not pretend to be purely of *Gods making*, (there's nothing in *holy* Scripture that is alike to their Constitution;) nor (by what has been here said) will any man that I know venture to say they are purely of *the King's making* Legally, if they live in defyance of the Kings Laws, and refuse to use the *Kings Name, Style, and Seal*, in their Processes Ecclesiastical, enjoyned by the Statute: I have been in *Popish Countreys, and there* I have seen a Crew in many things like them.

But, (*God knows*) we Protestants *do unanimously* declare against *Implicite Faith*, and yet, the Ecclesiastical Jurisdiction, *from the first* Citation to *the end*, namely to *Excommunication and the Jayl*, is much carryed *on by Implicite Faith*.

For the *Judges* believe the *Bishops Significavit*, and Arch-bishops *Significavit*, whilst they, (*good men*) signify a man Excommunicated, and yet never *heard one word* of the merit of the cause; but the Judges believes the Bishops *Significavit*, and the Bishop believes the Registers *Certificavit*; which unavoidable comes, if you do not stop the Registers hand with money, to his content: *Oh sad estate of Christianity*! Christianity?

God bless the King, and Parliament (when it sits, I mean) and by *all Tokens* it is probable, that they'l soon resolve these Riddles; and (also) not admit palpable Symony and Hypocrisy, to Provoke Gods Wrath and Judgments upon the Nation, by making holy Ordinances and Ordinations vendible, and Gospel-Keys (*of binding and loosing*) (once another *Gift of God*) a money-business, or *Political-Engine*, to take away men's *Franchises* and *Votes*, when there is no other way to deprive them thereof.

I cannot think that Christ entrusted *Anathemas* to his Disciples to play them *so frankly* at a bold Rate *fast & loose*; He that eats & drinks unworthily, that is (to a Politick, *Carnal End*) eats and drinks his own Damnation; and he that *opens and shuts* Heaven and Hell-Gates, binding and loosing, using the Holy-Keys *unworthily* (that is) for *low*, politick, *Carnal*-Ends) use them to his *own Damnation*; God *will not be mocked*.

CHAP.

CHAP. VI.

I Doubt not but all that Read this, muſt ſay, that in this Tract I *have done their buſineſs* already, to all intents and purpoſes.

A Law *may ſleep*, a Statute may lie *Dormant*, as did the Act *of Uniformity* whilſt the King's *Act of Indulgence* (according to his Royal Word, and Promiſe from *Breda*, facilitating his Return) *did laſt*; but though, Laws may be *huſht* and *lull'd aſleep*, awhile, nay, a long time, yet, (if they be not *quite dead*) woe be to him that tramples on them; for the Laws of *England* are ſo *ſacred* that (it has been obſerv'd) they have been *too hard for any man*, at long run, that durſt *oppoſe them*, withſtand them, or *ſtand in their way*, the Laws are (called) the Subjects beſt Inheritance.

I remember part of Sir *Harbottle Grimſton's* ſpeech (in Parliament *Anno* 1640. concerning *Spiritual-Courts*) was to take notice of an Inſolence of theirs much alike to what has been heard of in other caſes; namely, under *a Religious Pretext* to meddle with mens *Franchyſes*, Charters, and Priviledges, as *Engliſh-men*; for, ſays that *Loyal Gentleman and true Engliſhman*, ſpeaking of the *Lambeth Canons* of 40. *and the Synod then there*——— Coke 2d. Inſtit. p63.

'That the *Synod* called together upon pretence of Religion, *took upon them* 'the boldneſs out of Parliament to grant Subſidies and meddle with men's Free Holds.

Oh! How diſhonourable is it to any Religion to palliate ſo much venome as *under a notion of a Goſpel Ordinance* of Excommunication or the like, to deſign to make men uncapable of *a Vote*, or Freedoms, Franchiſes, and Charters, eſpecially if they ſeem to be affraid of nothing ſo much as that ſome ſhould conform, and conſequently be capable of as many *Priviledges* as the Debauchee, or prophane Libertine. Mr Grimſtons ſpeach in Parliament.

Chriſtianity do you call it? more like *Ely*'s Sons, or *Simon-Magus*, Oh God! may not ſuch well dread thy Vengeance? Chriſtianity do you call it?

The wiſeſt of *all the ten* Perſecuting Emperours was *Diocleſian*, whoſe Conſcience ſo tormented his Breaſt, for *Perſecuting the Chriſtians*, that he threw the Diadem from his *hated head*, and hid it in a Garden, in the obſcureſt *By-corner* of the World.

But, the Horrour of *Nero's Viſage* is by *Suetonius* rendred ſo *tremendous* to behold (after he vented his *Cruelty* upon the *Chriſtians*) that it would make a mans *Hair ſtand on end*, to view him, *extantibus vigentibuſque oculis uſq; ad horrorem viſentium*, with ghaſtly Looks and frightful Eyes ſtrikeing Horrour in all that ſaw him; ſuch was the Fate of this *Perſecuting Atheiſt*, *Religionum uſq; quaq; Aſpernator*, as *Suetonius* calls him; a Contemner of every *thing that lookt like* Religion. Suet. Nero.

And ſuch are the brood of *Simon Magus*, that make uſe of Religion (which is intended for the Salvation of mens Souls) only to the deſtruction of their *Bodies*, and *Eſtates*.

Simon? (quoth he) no *Simon Magus* was not thus Impudent, *he did his buſineſs* (indeed) namely, *the money buſineſs*, and to be ador'd and Reverenc't (forſooth) But, he did it, by *juggle* and ſleight of hand; but, the Son's of *Eli* and *Symoniſts*, (like Ghoſts long enur'd to walk) appeared at *Noon-day* did take *purſes before mens faces*, Swagger, Curſe, Anathematize, Damn, & bluſter; In good time they were charm'd down? *In Nomine Domini?* Amen.

If ever you were in *Spain* or *Portugal*, (as I have been) tell me what *Monkey or Babion* is more contemtible, than a *ſneaking*, perjur'd, *Hypocritical*, Eccleſiaſtical *Property of State*?

What more *Ridicule*, then a fawning Spiritual Sycophant in *Antick-Dreſs*, cringing with his *Pin-Buttocks* and *hallow ſmiles*, upon a Whore

Athe ſt

Atheist or *Renegade*, that do but scoff at his ghastly Habilements of *uncouth Guize* and Shape, *Portentous* and Prodigious? *Risum teneatis Amici?* could ye have held from Laughing at the *Holy Mymick*. Or could *ye forbear smiling* to see a bigotted Fop (*old or young*) throng and *crowd* to kneel for the benediction of an *empty Palm*, or Lecherous and *Simoniacal Clutches*.

Whilst the *gawdy Hypocrite* smiles in his *Py-bald Sleeves* (The Trophies (possibly) of *Smock-Simony*, Pandarisme, *Flattery*, or Bribery.)

CHAP. VII.

Cambdens Eliz. lib. 4 Anno 1602 45. Eliz.

OH! what a frightful, *Heathenish*, (nay more,) *Popish* and *Barbarous sight it is* to see a *Bishop* lye like *Eugenius O-Hegan*, Bishop of *Rosse*, who (siding with the Tories) was slain by Captain *Taffe*, and in a most *Ghastly* and *un-Bishop-like* Posture found *Dead* with a *Breviary* (his Common-prayer-Book) in *one hand* and a *Sword in the other*! like to the Bishop of *London*, that * Lecherous *Bonner*, who was a *fool to boot*.

*Fox. Acts and Monuments.

For, if he *had had any Brains in his Skull*, considering (more especially) the *crazy foundation* he stood upon, and the *slippery Hold*, that hung *onely on the slender Thread* of the Queens life, he would not have disobliged the *generality of Mankind* by the cruel methods of himself, *and his Imps*, delivering men *to the Devil*, Jayl, and *Torments*, by *Shoals*, and in gross, and releasing them as fast *for money*.

For *Pluto* loves Riches, yet he *never* teaches his Servants any *Wit*, but only *so much as he teaches Witches*; just enough *to do mischief* when God permits them *the power a while* in their hands, that the *malice* (which lies in their Devilish hearts) may be the better *known*, and so bring them *the sooner to their End*.

For *Witches and Persecutors* never had *Wit enough* (since the World was) *to be wise for themselves*.

For if *Bonner* had not been a fool, he would never have been the Devils *Prime-Tool*, and the *Jaylors best Friend*, and *thereby* (also) the *Queens greatest* Enemy, and the best Friend that her *Protestant Successor found*.

For there was never a poor Soul that *Bonner* deliver'd to the Devil and the Jail, but lost the Queen a *Thousand hearts*; *all which* her Protestant Successor *found ready Prest* for her Service.

For a Prince that, by ungrateful methods, has lost the hearts of *the Generality* of his subjects, has lost *his best* Life-guard and *strongest Fort*.

So much the *greater* loss, because *Irrecoverable*: for Oppressors, and Faith-breakers, and Promise-breakers, can play no *after-games*; because (like broken Merchants) their credit once crack't, no body will trust them.

This was too evident to Queen *Mary*, who contrary to her own natural Tenderness, was push't on to *harsh* & ungrateful Methods by the Instigation of the *furious Priests*, who seldom prove fortunate Counsellors to a Prince.

For, thus, by their *Tantivee-leasings*, (onely to uphold their *Spiritual-Tyranny*, Pride and Pomp) she, by loosing *her Peoples* hearts, *broke her own*, more than did the loss of *Calice*, or the coldness of King *Philips* affection towards her.

All this *wrought well for her* Protestant *Successor*, whom the *major part lov'd and long'd for*, wishing onely for *an occasion* to show their devotion.

Nor does the All-seeing Providence *long adjourn* such occasions, as here fell out, by the Queens sudden and unexpected death; Oh Monstrous! To see how *Bonner* look't then, and all the little gang of *Plititians*! The Queen's death *breaking the heart of* Cardinal *Pool*, who dyed three hours after he heard the news; though some think that *sorrow alone*, (without some other drug) *could not* have dispatcht him *so suddenly*; Thus the *poor Levite* (Aspiring *Woolsey*) also is said to hasten his own death by a *Master-less-Purge*, when his *Tottering-state* (which is nothing but *vicissitude*) turned.

But, to return to my other *Ecclesiastical-man Bonner*, who had never a Friend in *Heaven* nor on *Earth*:

Such

Such a thrifty Trade is Perſecution of men's Conſciences, whereof God *alone* (as King *Charles the firſt* ſayes) *is the King.*

Nor will any man be of the *Perſecuting Trade*, but he that is *more fool* than Knave; for, as it broke *the Spanyard* by *looſing him* the Low-Countreys, ſo *it breaks every man* that (as yet) ever *followed the Trade*; whatſoever *Politick-Roger* does *obſerve* to the contrary.

Beſides, it is a Trade as uneaſy as accurſed, for it is hard kicking againſt the Pricks, or *fighting againſt the King* of Conſciences: *Let Atheiſt go on*, as *Bonner* did; there was no perſwading him to the contrary: he would go on; *What ſhould a Body talk?* Go, *Bray a Fool in a Mortar*, yet will not his Folly depart from him.

That very Fool was, the Biſhop of *Loudon*, the ſaid *Bonner*, for, *if he would have hang'd himſelf*, he could not have done the Martyrs *more good*, than by his Helliſh Methods, ſending them *the ſooner* to Heaven, and himſelf (without Repentance) *the ſooner* to the Devil, by his Curſed Work of *Excommunicating*, *Jayling*, *and Halling men to* Torment, ſometimes of one kind, ſometimes another; nay, the unclean Wretch took pleaſure in whipping *Pretty Boys Buttocks*, *fumbling at them* with his Epiſcopal *Palms.*

'Tis true, Queen *Mary* could not have got (ſeek *England* through) a *Meeter Engine* for Perſecution; for he was ſo much a Fool that he had *only Wit enough to be A curſed*, Cruel, *implacable Knave*, and the *State's-Fool.*

For which employment he was *the fitter*, becauſe he had *been at Rome*, (perhaps for the *very nonce*) to be the more *accompliſht Perſecutor.*

He being not onely the *Queens Puppet*, but the *Queens* * *Pocket-Piſtol*; for he was the *Roaring-Megg* of miſchief, thundring out his *Anathema's and Excommunications*, *Damm'em he cry'd*, or elſe, *take them Devil!* If they were *Diſſenters* from Popiſh Superſtitions and happened to *be cited to his Spiritual-Courts*, and yet he lookt *as demurely* as *ſillily* (for I have his Picture) and he looks ſo *like an Innocent*, and yet like a *Holy-cheat*, or *Religious Aſe*, being indeed the *Pia-fraus of malice* and wickedneſs.

* *Aprodigius Canon ſo called.*

In ſhort, if I knew where *this quondam Biſhop of London's Tomb* is, I would draw his *Picture* upon his *Sepulcher*, and expoſe his *Loathſome Features* to Poſterity, by writing *his Epitaph* upon his Grave: (*I have it ready.*)

For he was the very *Picture of ill-luck*, as ever had the hap to be *London's Biſhop*;

The *States great Puppet*, a *Tool* that Knaves do work with, call'd a *Fool*; being a meer *property of State*; and the very Compound of Malice and Non-ſence, *ana.*

CHAP. VIII.

LEt no *Ingenuous* Reader *blame my ſtile*, as if it were too ſharp and *pungent* on this occaſion; He that conſiders the Vexations, Torments and Cruelties inflicted by that Biſhop of *London*, will not wonder if they *whet my Pen* even to *Exaſperation*; when I drew *Bonners* Picture in the foregoing Chapter.

You may ſee the *Biſhops Picture*, in *Fox* his Book of *Martyrs* (if you think *it reſembles him ſo well as this* that I have (as aforeſaid) drawn for him.)

Did you ever ſee any Body like him?

For *Bonner* was *more Brute than man.*

Yet more may be ſaid in Excuſe for *Bonner*, then for ſome others, that ſhall follow his Trade; (to wit) that *Bonner* had the *Letter of the Law* to juſtify his Perſecution; and yet that *Letter of the Law* could not *juſtify* him, nor keep the Wretch from being *undone* ſoon after; For Cruelty and Perſecution are all *ſhort liv'd.*

But, I am ſure, ſome Eccleſiaſtical-men *have not ſo much as the* Letter of the Law to juſtify their Sell-Soul-Trade, *Oppreſſions*, *Illegal Fees*, *Vexations*, *Symony*, *and Extortions*; *wherein they are* far leſs juſtifyable *than vile* Bonner.

Oh! Does our Bibles teach *us* Symony, *or to take* money for the Gifts *of God that are* not to be ſold nor purchaſed with money?

Does Chriſt or his Apoſtles teach us to exerciſe Dominion (like the Princes of the Gentiles) *and to* Lord it *over Gods Heritage?*

Simon Magus attempted it, but to cheapen and ask the Price *of the Gift of God*, *but did not* actually ſell it.

However we do not read that he intended to be twice paid: But it is contrary to our Canonical-Oath *and your own Canons*, *to take or give* money for Letters of Orders, *Sacraments* Inſtitutions, *Baptiſms*, *Marriages*, Burials, *&c.* and contrary to our Oath

againſt Symony? *or ſelling or purchating Gods Gifts! How are we polluted?* What Oath have we ſworn to keep?

There is yet one, (even moſt *thumping*) *Objection behind* and unanſwered, which the Lord *Coke* ſeems to lay the *greateſt Streſs upon*, and did *moſt prevail* with the Lord *chief-Baron* and others to get it *huſh't down and laid*; *after* the two Lord Chief-Juſtices *could not deny but it begun to be revived and walk again*, ſince 1 *Jacobi*, To the great Terrour of the ruling Prieſts, *Commiſſaries*, Officials, *Jaylors*, Regiſters and *Summers*; for their Trade ſeem'd to begin to fail, but *for one main Argument*, or Cord that ſeem'd to bind it *down again*, *viz.*

Object. It would be a great Scandal to the Kings Juſtice (*yea verily*) if there had been no Legal Prieſts and Biſhops made for three long years together, *with other Inconveniences* (to boot) *if the Statute of* 1 Edw. 6. 2. ſhould be in force, *and therefore it* muſt not, *it* ſhall not, *it* cannot *be in force.*

Anſw. This Objection is like the *Rancounter of a flayl*, there is no ward (they think) *no fence againſt it*; and *it is* really *ſo*, if the *Law of England* be *Club-Law.*

Object. *Was it a* Scandal *to have no Legal Biſhops nor Legal Prieſts conſtituted for three long years, how great then would the Scandal be for* 70 *long years? ſay they.*

Anſw. But, (My friends!) a *Conſumption* or *Gangrene* is never *the better* but the worſe, more *Inveterate*, more noyſome, *more Dangerous*, and more difficulty cured, by *Continuance.*

Did ever any man plead for the Expediency of an *Ulcer* becauſe it was *an old ſore*? Is not the *Continuance thereof* the ready way to bring it to a *Gangrene?* to the hazard of *mortifying the part*, and *threatning* (moſt formidably) the *Hazard of the Vitals*, and noble parts? Never did Illegality or a Diſeaſe *plead Seniority* rationally for its Juſtification. Is it a Scandal, and attended with great Inconveniencies? 'Tis granted, and it is too true: What then? *What is to be done with it?* that is the *next* queſtion, and moſt neceſſary to be decided: Is it *a Scandal*? the more need there is of a ſpe edyemoval of the Scandal, ſuch *an old Scandal*: σκάνδαλον (or *Scandalum*,) is a Greek *word*, and it properly ſignifies a *Threſhold* or ſtumbling block, and (Metaphorically) *all things that offend* (or lye *in our way*) are called *Scandals*?

Now what ſhall we do *with this* block or *Threſhold*, or *Seandal?* The Anſwer is *moſt Eaſy*; *Lay* the block or the *Threſhold at the right Door* whereto it belongs and appertains.

CHAP. IX.

DOes the Revival of this Statute put us again into the true Proteſtant dreſs? does it take away the *Conge Deſlires*, and Elections thereupon, which 1 *Edw.* 6.2. ſays, **are in very deed** no Elections, **but** (meer) **Colours**, Shadows, **and Pretences of Elections, ſerving nevertheleſs** to no Purpoſe, **and ſeeming alſo** Derogatory **and Prejudicial to the** Kings Prerogative **Royal**, &c.

Is the Kings Supremacy and Authority Eccleſiaſtical beſt **aſſerted and avowed by his Name, Stile, and Armes, in all Writs, Original or Judicial, in Eccleſiaſtical-Courts, as well as they are in Temporal-Courts?**

Then why ſhould not Prelats and their Eccleſiaſtical Courts, *conform* themſelves, and be as tender of the Kings Prerogative, *Supremacy* and Authority in *Eccleſiaſtical* as well as *Temporal Cauſes* and Courts, if they have not ſome *Secret Reſerve* in the hollow of their Breaſts? why ſhould they not be *for the King* as well *in things that thwart* as well as in *things that make* for their Intereſt, if they be *ſo Loyal* in things that *ſerve their own turnes*, Intereſt, Power, *Grandeur* and *Dominion*?

Is it a Scandal? Remove it, lay it at the doors it properly belongs unto.

If they be *not Legally Conſtituted*, what *then?* why, *then let them be Legally Conſtituted*; and if there be the *more Vacancyes*, there will be the *more firſt-fruits* and *Fees for Letters Patents*; They *may* the better *afford it*, if they have had ſuch ſtately Revenues (*ſo long*) illegally; And what harm of all this?

Oh! (ſay ſome) A *very great harm*, this would be a *Confeſſion of Guilt*, and a Confeſſion of *Sin*, and errour; *an old Sin*, an old Errour:

What then? This is the *firſt time that ever I heard* that *Confeſſion of Sin was a Crime*; Oh, but it argues ſuch an *Univerſal Error?* why, *whoever ſaid the Prelats are infallible*

in

in Spirituals, much *leſs in Temporals*? we read of *great Miſchiefs* that have enſued by *their buzzing at Court* long agoe, and *buſying themſelves* with Politicks, It had been much better *for them, and for Princes too*, that Biſhops had kept themſelves to their *Bibles*; And neither *they* nor the *World* would have been ſo plagu'd with their *Heats*, which (like fire out of the Hearth,) rather has ſometimes *Conſumed* then *Warmed*; having done Miſchief unſpeakable, but what good? Nor is this (only) my own Obſervation, I learnt it from no worſe man than a *Biſhop*, nay an *Arch-biſhop*, I mean *Matt. Parker* Arch-biſhop of *Canterbury*, (in good Queen *Elizabeths* days,) who in his Book Intitled *Antiquitates Britannicæ*, (ſpeaking of the times of K. *R.* 1 and the Pranks of *Hubert* then Arch-biſhop of *Canterbury*) has theſe words ——*Neque enim ſi verum Judicare Volumus, in Republica Chriſtiana quicquam ſani, atque Integri Seculum illud tulit. Fictaque et Adumbrata Religionis ſpecie Propoſita, totus Clerus in Sceleribus Muneribus, honoribus et Rapinis, Neglecto penitus Verbo, impune Volutabat, Hujus mali Origo ab hoc Profluxit, quod contra Orthodoxorum Patrum Decreta, Clerus Nimium Mundanis ſe Negotiis Immiſcuit. Nor was there, if we will Judge aright, in that Age anything left ſound, or as it ought to be, in the Chriſtian Common-wealth, for the whole Clergy under a feigned and outſide form of Religion, did with Impunity Wallow (like Swine) in Wickedneſs, Briberies, Honours and Rapines, altogether neglecting the Word of God. The Original of all which Miſchiefs was this, becauſe the Clergy, contrary to the Decrees of the Orthodox Fathers, would needs be thruſting themſelves into, and intermedling with Worldly Affairs*;

Then he goes on to ſhew a fearful Example of Gods Vengeance upon one of them who had Clambered up to a very high Office in the State, and cloſeth that Relation thus——*Cujus Generis Exempla id circo proferenda ſunt ut deterreantur a Veſtigalibus Regis, et Civilibus, publicisque Occupationibus Clerus, et Evangelio Propagando precipue ſtudeat ac Incumbat. Examples of this kind ought to be Recorded that the Clergy may be* deterred *from hankering after* Court-Preferments, *and buſling in Civil and publick Offices, and mainly Study and devote themſelves intirely to the Propagation of the* Goſpel.

You are in the Right, Right Reverend! much in the Right——

They *are Spiritual men*, or *ſhould be*; they are *Divines*, or *ſhould be*; *they are* (like a Fiſh out of the Water) *out of their Element* when they meddle with *Politicks*, out of their Sphere, *Inconſiſtent with their Office*, and perhaps their *Education, nor has God bleſt them* in ſuch Undertakings; *Away with them to their Bibles*, and Common-Prayer-Book, *Thoſe are fitter and more becoming* Tools, then *Writs*, Capiaſſes, *Libels*, Declarations, *Informations*, Citations, *Vexations*, and *Promotions*.

It was *Auguſtine* the Monk (that *firſt* and *worſt* Arch-biſhop of *Canterbury*) that *firſt brought the Plague into England from Rome*; The Plague-Eccleſiaſtical of *Avarice*, Pride, *Dominion*, pomp and *Popiſh Prelacy*.

If ever *Anti-Chriſt* appear'd in a *Single Perſon*, none could ever *ſhow a better Title* to him then this *proud Monk*, Nor that ever did *defile* the Church of *England* with more *Romiſh Filth* and Rubbiſh, then he; *would it were clean ſwept*, if any Noyſome Corruptions which he brought over with him be not taken away; and how *beautifully* it looks then? But the *great Infection of his Plagues had not ſpread*, but that he had ſuch *an Influence* upon King *Ethelbert* and his *Parliament*. *Anno* 601. *Parker* and. Britiq; *Britan* p. 47.

He *firſt* got the Conuſans of *Tythes* into his *Eccleſiaſtical-Courts*, as appears by the Statutes 13. *Edw.* 1. 1. & 18. *Edw.* 3. 7. *at the Requeſt of the Prelats* (ſays the Statute) And that *it uſe to be otherwiſe* before, *as the firſt words of the ſaid Statute* ſpecifyes; and *Inter leges Edw. Regis* cap. 8. fol. 128. which ſpeaks of Tythes, It is ſaid *Hæc Predicavit Auguſtinus et Conceſſa ſunt Regi, Baronibus et Populo*, &c. The King, Lords and Commons gave the Eccleſiaſtical men the *Conuſans of Tythes* upon *Auguſtin's preaching to* them to that Purpoſe. For till the Statute of *Circumſpecte agatis*, no Perſon could demand Tythes in Court Chriſtian. *Decimæ ſunt Spiritualitati Annexa*, ſays *Bracton*. 13. *E.* 1. *t.* 18 *E.* 3. 7. Bract. lib. 5. fol. 401.

They got the *probate of Wills*, and the granting Commiſſions of *Adminiſtration* by Statute, nay, they could *not make a Will* (by the Common Law) of their own Goods and Chattels, *much leſs could they diſpoſe of other mens Goods*; ſo *Linwood* confeſſes too (who wrote in the Raign of H. 6. *Beneficia tus non poteſt Teſtari de Communi Jure* (ſed de Conſuetudine) *in Anglia*. Linwood *Tit. de conſuet.* verb. nullus.

Linwood Confeſſes the ſame concerning *probates of Wills*, they got them granted to them. Lin. de foro. Compet. lib. 7.

I name theſe things *before I come* for ever to overthrow this *Laſt Toumping Objection*, to let the Reader know that if it were not for *probate of Wills*, *Tythes*, and *Adminiſtrations*, (which by their horrible Corruptions and Extortions they have moſt *Injuriouſly Adminiſtred*, if not *forfeited*) there needs not any Statute, no not *this* 1 *Edw.* 6. 2. *to correct the Eccleſiaſtical Courts*; *and Eccleſiaſtical Fellows*, for (ſome think) they muſt (then) either *ſtarve*, or *begg*, or take a *better Trade*.

And therefore though the Statute of 1 *Edw.* 6. 2. *ſhould prove to be in force, what then?* Why *then they would keep no Courts at all*, rather then keep them in the *Kings Name*, and not their own?

And what then? *where's the Inconvenience*, if the Kings Temporal-Courts again get the *Conuſans* of *Tythes*, Probate of *Wills*, *Adminiſtrations*, &c. (the great *Buſineſs* (beſides vexing Souls and *Church-Wardens*, and poor *Parſons*, and *the Money Buſineſs*) all which Vexations may well be ſpared) And then the *Saddle will* but be *ſet* again upon *the right Horſe*, where it was *handſomely ſet*, Till the *Government* was *Prieſt-ridden by Auguſtine* that Covetous *Supercilious* and *inſolent Monk*.

Object. *Ay, but will ſome ſay, Cognizance of Tyths, Fornication, Adultery, Defamation.* &c. *are purely Spiritual things, and more concern the Soul.*

Anſw. But I ſay it is falſe; Tythes, Fornication, Defamation, do *no more* concern the Soul, then do other Injuries, and Sins, Murder, Felony, or Treaſon; no, *nor ſo much*. *H. barte* Caſes.

Nay, Even as to Baſtardy, in an action upon the Caſe, for calling one Baſtard, if the Defendant Juſtify, It ſhall be tryed *per Pais*, and not by the Certificate of the Ordinary. Next to *Swan* and *Hollams* Caſe.

CHAP.

CHAP. X.

WEll (*but will ſome ſay*) you promiſt, in *this Treatiſe* before, that the firſt Branch of the Statute of 1. *Edw.* 6. 2. concerning the *Biſhop-making*, might be ſav'd by 1. *Eliz.* 1. reviving the 25. *Hen.* 8. 20.

And then if we can *but keep our Biſhops*, and prove them to be *Legal*, they'l diſpence (no doubt) at length with the *old Romiſh way of Summons in their own name* (as did the Biſhops in the Reign of *Edw.* 6. for moſt of them were *Popiſh Biſhops* in *Hen.* 8 Reign: *Proteſtant Biſhops* in *Edw.* 6. *Reign*; And again *Popiſh-Biſhops* in Queen *Maries* days; And if they conform ſo far to the Statute of 1 *Edw.* 6. 2. as to *vouchſafe to uſe the Kings Name*, Stile and Seals in their Eccleſiaſtical-Courts, *you promis'd* that the *Firſt Branch* of 1 *Edw.* 6. 2. *was vacated by* 1. Eliz. 1. *And they* (*conſequently*) *Legal Biſhops.*

Anſw. I anſwer, that I *never promiſt* any ſuch thing in my life, though *the eſteem* I have for Prelates, *together with* my natural *Propenſity to Lordlineſs*, Ay, and my own *Intereſt too*, (being a Judge of an Eccleſiaſtical-Court, and ſending Proceſſes Eccleſiaſtical (all) in *my own name* hitherto (though if God and the King do but forgive my Sins paſt, herein, I will never do ſo any more; *It is Impriſonme nt during* the Kings Pleaſure, *I* confeſs, and to be *in miſerecordia Regis* for what all of us have done) *might be perſwaſive motives* thereunto.

But, alas! *I can do no more* (*than I can*) for our Eccleſiaſtical Juriſdiction, *I muſt not dare* (whatever others do) to *Impeach the validity of a Statute*, ſeeming ſo long injur'd and looking ſo evidently in force, for fear of *After-Claps*. I ſaid, *indeed*, that if *Oracle Coke* did not miſtake *himſelf and the Law*, The Biſhops and Arch-biſhops were *Legally made* after the old Faſhion of *Conge Deſire* and *Elections*, (as in 25. *H.* 8. 20. Revived by 1. *Eliz.* 1.)

Coke in Stat. 32. *H.* 8. *cap.* 38. p. 686, 2d. *Inſtit.*

And *he* (alſo) ſays that if they were made according to the Act of 1. *Edw.* 6. *they were unlawful.*

But, *I never ſaid any ſuch thing*, whatever I might wiſh or think: But *Quere*, whether the 8. *Eliz.* 1. does not do us a Courteſy *if the King pleaſe*; yet the 1 *Edw.* 6. *revived after* 8. *Eliz.* 1. *Quere*, whether it do not vacate it, as to Elections, or wherein it is contrary to it? Alſo 14. *Car.* 2. 14, conſcrate us.

Nay, The Learned *Coke* ſeems to give an *impregnable reaſon* for that opinion of his; namely that *all after and ſubſequent Statutes* do vacate and *make null* and void *all precedent Statutes* that are *contrary to them.* And though the 25. *H.* 8. 20. be a *precedent Statute to* 1 *Edw.* 6. 2, and conſequently was by the ſame defeated yet 1. *Mar.* 2. Repealing the 1. *Edw.* 6. 2. and 1, *Eliz.* 1. reviving 25. *Hen.* 8, 20. The Life of 25. *H.* 8. 20. Shall bear date *onely from the Date of its Reviver*, (1 *Eliz.* 1.) which gave *it its* life and vigour, *onely by that Second Birth*: and conſequently is a Junior Statute, and takes place, of 1. *Edw.* 6. 2. otherwiſe the *effect* would be *ſenior to its cauſe*, but *cauſa eſt prior cauſato*; the Son can no more poſſibly be Elder than the Father, then 25. *H.* 8. 2. can be Elder than 1. *Eliz.* 1. which *alone, gives it life*, and is the *cauſe of its being and motion*: Therefore 1. *Eliz.* 1. reviving 25. *H.* 8. makes 25. *H.* 8. 20. *an After-Act to* 1, *Edw.* 6. 2. And *nulls* it ſo far as it is *contrary* to it; This is the Learned *Coke's* reaſoning; and it is pretty well.

But if the *Oracle had not warpt* ſometimes (as that at *Delos by Demoſthenes* is ſaid to *Phillipize* through the underhand-dealing with the Prieſts) ſo wiſe a man could *not ſo Inconſiderately* have over-ſhot himſelf.

For he needs *no other* Argument than *his own* to confound his ſaid opinion; he *Stabs himſelf with his own Keen Weapon*; which otherwiſe is *irreſiſtable*; through raſhneſs, *Precipitancy*, haſte *prejudice*, or I *know what.*

For it is *irreſiſtably true*, that 1. *Eliz.* 1. reviving 25. *H.* 8. 20. makes it a *Junior-Act*, and conſequently *to take place* (contrary to the Laws as aforeſaid of Heraldry) *of its ſenior*, 1 *Edw.* 6. 2.

Hobart's *Caſes* Sheffield *verſ.* Ratcliff.

Even as, in a *Feoffment* made of Land holden in chief *to the uſe of* ſuch Perſon or Eſtate as the *Donor* ſhall give or diſpoſe *in his Will*. Here the uſes ſhall not *opperate by way of Feoffment*, but onely as a *Teſtamentary Device*; which cannot *bear Date nor Life from the Feoffment*, but from *the Will* (*poſt obitum Teſtatoris, nam viventis non eſt Teſtamentum*) And yet the *Feoffmene is good* (but onely in *Embrio*, and without Life or motion) *till the Will operate and give it life*) And therefore in conſtruction of Law (notwithſtanding the *Feoffment*, which the *Donor made in his life time, yet*) he ſhall *dye ſeized*, and his Wife ſhall have *Dower*; becauſe the *Feoffment* (notwithſtanding *its Date and delivery in the life* of the Donor, ſhall be motion-leſs and *life-leſs*, till *The Will* gives it life and *vigour.*

So alſo, though it be ſaid and *truly too*) That the *Firſt-Feoffment* in Law defeats the *ſecond*, and all *After-Feoffments*; yet, if a man (ſeized in demeſne as of Fee) make Feoffment, as aforeſaid, to ſuch Perſon and Eſtate as ſhall be given and declared *in his laſt Will* and Teſtament and then afterwards make a *Second Feoffment* to *A. B.* and his Heirs; and then make his Will and dye, giving the ſame to *C. D.* Here *C. D.* that had the *Second Feoffment* ſhall have the Land; Becauſe, in Intendment of Law, The *Second* Feoffment is the *Firſt Feoffment* that has life and motion, whatever be the Date thereof. But (my Maſters) *Coke* alſo ſays in the ſame Page, (*and ſays true*) that by *Repealing a Repeal, the firſt Act is revived*; The Truth whereof he undoubtedly confirms *in the next foregoing Page* p. 687. And this Stabbs and confounds his own opinion:

For 1. *Jacobi* reviving 1 *Edw.* 6. 2. the life and date of 1. *Edw.* 6. 2. ſhall be accounted *onely from the Date of* 1. *Jacobi* the author of *its Being, and the Father that gave it life and motion*, knocking the *Shackles off*, wherewith Queen *Mary had bound it*; and conſequently 1 *Edw.* 6. 2. being as young, freſh and youthful as *Primo Jacobi*, It ſhall vacate 1. *Eliz.* 1. 1. *Mar.* 1. and 2. *Phil. Mar.* 8. 25. *H.* 8. 20. And

all

all other Statutes *made before* 1 *Jacobi, if they be contrary to it*: I wonder what all my *Brethren Prelates* in *England* can ſay in anſwer to this: For the 1 *Jacobi* muſt *be repealed* before the 1 *Edw.* 6. 2. (which *take its life* and *vigour* from *Primo Jacobi*) can be vacated.

And if the Lord *Coke* had ſuffered himſelf to *weigh* this Argument *by his own Scales*, he would not have buſyed himſelf with the three fold Cord, (he talkes of) which is ſo *eaſily broken*, by the ſtrength of his own Maximes of Law; *Sic ſuus Facili rumpitur triplex Faſciculus.*

For 25. H. 8. 20. *is yet in force*, but that the 1 *Edw.* 6. 2. *made it uull and void* by eſtabliſhing *a Junior and Freſher Conſtitution* in the Room of *that old Frame* by *Conge Deſliers* and Elections thereon, which 1 *Edw.* 6. 2. *calls Pretences*, Colours and *Shadows onely*, and derogatory and *Prejudicial to the Kings* Prerogative-Royal.

Which *Prerogative-Royal* (by clearing up the the vigour of this Statute that has long *lain clouded and obſcured by ſtrange Arts*) if I have *ſurely vindicated*, I hope no man will deny but I have *deſerved well of my King and Countrey*. And upon the whole, *if Curſt Cows happen to have ſhort Horns, what Harm? Where's the Scandal?* or Inconvenience.

CHAP. XI.

Obj. *OH! But ſtill (ſay ſome) It muſt not be admitted that the* 1 Edw. 6. 2. *be in fore: Why? Becauſe the Judges have been of* another opinion.

Anſw. I anſwer, it does nor appear that ever they *judicially declared themſelves* to be of another opinion; ſome Judges have given their opinion, againſt it, extrajudicially; and ſo alſo ſome Judges (ten of the twelve) gave their opinions for the *Legality of Ship-money* to King *Charles* 1. And the *ſame King in Parliament* condemned the *ſaid opinion by Statute*, as contrary to *Magna Charta*, The Petition of Right, and many other good Laws; Judges *have been frail* to their Ruine.

If Judges therefore will *warp* and give opinions againſt *known Statutes*, againſt their Oaths, *their Conſciences, thereby breaking their own* (as they have been ſaid to break) *the Kings Oath*, They are the *vileſt of men*, and do merit the worſt of Puniſhments.

But, *on the contrary*, This is no, novel opinion; The choice Lawyers of this Land have *declared themſelves* that this *Royal Statute is in force*, and not onely ſo, but that there *is all the reaſon in the World that it ſhould be in force*, and that in *acknowledgment of the Kings Supremacy* in all cauſes and over all *Perſons, as well Eccleſiaſtical as Civil*; There is all the reaſon in the World that *Writs* and *Proceſſes* ſhould run in the *Kings Name* in *Eccleſiaſtical-Courts, if they be (indeed) his Courts*, as are the *Temporal-Courts*, and kept in *his name*; and not in the name of a Commiſſary, Official, or I know not who; If (I ſay) they be the Kings-Courts, and he the Supream Head Eccleſiaſtical, however the Pope has formerly uſurp't.

What a *fine thing it is* to have the Kings Subjects *run and ride* forty or fifty miles from their *Houſes*, their *Trades* and their *Families*, upon the Summons of a *Commiſſary*, in *his own name*, which is none of the beſt names neither, (ſometimes) however ſome names (abſtracted from the quality of ſome that may happen to wear them) may by accident become Scandalous and *Odious*.

Ravilliack Murther'd His Majeſties great Grandfather *Hen.* 4. the *French*-King, And in *deteſtation* of that *villanous*, treacherous, *King-killing Fact*, the *Loyalty*, Wiſdom, *Juſtice and Piety of France*, enacted that *the Houſe* wherein the Villian *was born* ſhould be a *Dunghil*, never to be rebuilt, but (*as accurſed ground*) *layd waſte*; his Father and Mother for ever baniſht, *and all of the name of Ravilliack* to change that *King-killing* name for ſome other, and a better: *So ſacred* are the *perſons of Kings*, that they are not to be *touch't in bloody earneſt, without an eternal ſtigmatize and brand* ſet upon the Prophane Attempt to all *Poſterity*; Nay, *John Scotus loſt himſelf* becauſe *he would not looſe his Jeſt*, when *the French King*, ſitting on the *one ſide of the Table*, and *Duns Scotus on the other*) the King askt him merrily what was the difference *between a Scot and a Sot? Scotus bluntly anſwered*, The Table. If it be dangerous *to play at Foyles* with Princes, 'tis eternally mortal to play at Sharp's. And therefore I wiſh with all my heart too, that His Majeſties Royal Anceſtor the ſtout King *Richard the ſecond*, had not been *baſely*, cowardly, *and treacherouſly Murther'd with a* Back-ſtroke *by an Exton*; And if it had been in *France*, I doubt not but the *Loyalty, Piety and Prudence* of the *French-men* would have *exterminated* (not all the men that were called *Exton*) But in horrour and *deteſtation of King-killing* namely they would have ſo *abbominated* that *King-killing name* (as they did *Ravilliack*) that they would have *obliterated* it to all *Poſterity*, and have made all the *Extons* in the Kingdom. change that *King-killing Name* for a better; that the *loathed-name* might (like a hateful Snuff) be put out and extinct to all Poſterity:

But, if in contempt *of that Royal Statute*, of 1 *Edw.* 6. 2. and in defyance *of the reaſon of that Statute*, The Kings Subjects ſhould happen to be cited in any ſuch untoward *King-killing name*, and then be proſecuted, till they have *ſatisfied and paid*, the conſequence cannot but be the more *ungrateful*, for that (*once deſervedly odious*) name, eſpecially ſince the 1 *Edw.* 6. 2 commands all *Proceſſes Eccleſiaſtical* to be (all the reaſon in the World) *in the Kinge name, the Eccleſiaſtical-Head* as well as the *Temporal-Head*.

And if the Prelates, and Eccleſiaſtical-men ſhould not *as induſtriouſly endeavour all manner of Legal wayes to* advance and *avow the Kings Prerogative Royal as* much as Lay-men, then they are very ungrateful, and *ill deſerve the Bounty* ſo Gracious a King has confer'd ſo liberally *upon them.*

If this Statute has been long (*I* know not *by what Arts*, and yet *I do too know in part why it has been, huſht aſleep*, and *Scandal* and Inconveniences may *enſue*, by its *awakened vertue* and force; the more ſhame for them that have been the *true cauſes and Authors of ſo grand a Scandal* and Inconveniences: lay the Scandal at the right door; Scandals *and Offences will come* (ſays our Saviour) *but woe be to them by whom they come.* Now is there any Scandal or *Inconveniences ſo great* but the King and Parliament *can readily avoid them, or compound them, and remedy them.*

CHAP. XII.

YEt can I not deny but that all Parliaments (ſince the Reformation) have been ſo *Jealous of the Exorbitant Power* of Church-men (finding by woful Experience in the late High-Commiſſion-Court granted by 1. *Eliz.* 1. what *Ruefull Work was made*) that they fetcht it down (with as much Celerity as they

they could) and by the same *Statute* (that repealed it) have *branded* it to Posterity; saying 17 *Car.* 1. 11. *That it tended to the great wrong* (mark that) and *Oppression of the Kings Subjects* &c. And though some then never had greater Hopes of Regaining that unhappy Power or *some-what alike it*, then *by the long Parliament* (falsly called) *The Pentioners Parliament* (for though there might be *Judasses* amongst them, yet as to the Major part of them never were there *Wiser, nor Truer* English-men) All that they could gain (by 13 *Car.* 2. 12.) was only to place their Ecclesiastical Courts in *Statu quo*, just as they were *in* 1639: without the Addition of any *new power* or any *new Confirmation* of them, but left their foundation *as Tottering as they found it*, before the troubles commenc't.

And truly they were, (with the frustration) so dejected, that *no People* were *more scorned* and neglected, and Indicted for their *Extortions* and Oppressions; And yet, for many years, the Registers *with a little Cypher at his Elbow or over his head* called *a Surrogate*, scrap't up a *poor* untoward *living* sometimes, catching *what they could*, with as *Little Noise* as they could:

But, now, with *Contrary Politicks* (how wisely? let them look to it) they *have grown so* busy with the *Kings Subjects, torturing their Souls*, Purses, Liberties, and Estates, by their Citations in their *own names*, Certificavits, and *Significavits*, in their own Names, which ought (by the 1 *Edw.* 6. 2.) to have been under *the Seal and in the Name of the Kings-Majesty*, and then *upon such Significavits* (not sealed with the Kings Seal) have got the Writ *de Excommunicato Capiendo*, and then what *Grate full Works* they made for the *Jaylors*, and Bum-bayliffes, is so *notorious*, that no man can wonder that men are deservedly *robbed to Examine* their Frame and *Constitutions*, and pry whether *all be right within*, when such ghastly ruines appear *abroad*, that who can Imagine that the good God ever gave them Commission to make havock of mens Souls, Liberties, and Estates; *The Keys* of Excommunication seldom opening *any thing so soon* as a *Jayl-Door*, *whence* by the other *Cross-Key* of Absolution they were never delivered, without *Money*, money.

Nor is it for Church-men to Vapour long with *Gospel-Ordinances*, when instead of using them for *Spiritual-ends*, they abuse them to *vile*, base, and *Sordid Designs*, to fill their Pockets, and wreak their *Malice*. This Rapine in the Sons of *Eli* prov'd the *Ruine of his house*, for those alone that Honour God *he will Honour, but those that despise, him shall be lightly esteemed.*

And how truly this threatning has been *verified upon the Ecclesiasticals*, let any man speak his Conscience, & say, *whether any sort of People* in the Kingdom have been so contemned and *lightly esteemed as they.*

Not, but that, *Contempt may happen to good men*, and the Scorners be in the fault; but when the *light Esteem* is grounded upon the *Avarice, Pride, Idleness, Extortion, Malice, and Oppression* of Church-men, it looks certainly like *Digitus Dei*, the just Judgment of Almighty God.

But if both King and some Houses of Parliament (once) did not like the Act for Uniformity, what *Wisdom* is it for men to be *so fierce for the Letter* of the Law? which yet I wish all men did obey, (as well as my self) *whilst it is a Law*; yet is it pleasing either to God or man, to *knock mens brains out* because they are blind or *pur-blind*, and will *not go to Heaven* along with us in *our way*?

A *thousand wayes* there are to Church and to *Heaven*, as there are a Thousand lines from the *Circumference* to the *Centre*; and a thousand wayes to *London*: I wish all men went *my way*, because it is the *neareſt Way I know*, but if they will not, let them go *their own*, in Gods Name, why should we quarrel about the matter? If God and Nature would have had us *Uniform*, We had all been *made alike*, of one Stature, Size, and Complexion; but God and Nature *seems so to delight in Variety*, that there are scarcely any two things in the World Uniform: Nay, we Prelats our selves are *neither Uniform amongst our selves, nor Uniform according to the Act*, as I have sufficiently prov'd in——*The Black Non-con-formists*; setting up and Observing Ceremonies that *God never made*, nor (yet) our so *Celebrated Act for Uniformity*: where's the Justice and Honesty to *punish one Non-Con-Formist*, and let another *Escape Scot-free*? One Prelate sets Candles upon the Altar, another sets none; one Prelate *bowes* to the very ground *where* and *when* another *stands* up, *as right as a dart*; one Church Celebrates with all sorts of Musick, another with none at all. One Church *Sings their Prayers*, another *reads them*; one reads *the Communion* Service in the *Desk*, another at *the Altar*; one Prays *before Sermon*, another only *bids men pray*; one *Reads his own Notes*, another reads *a Homyly*, another has it *Memoriter*; one wears *a Surplice* only, another a *Surplice and Hood*, another *neither* of them; and 40 more such Instances. Now when *these men dissent so from the Act of* Uniformity, and are *Dissenters also one from another*, Are ye not Partial in your selves to *prefer one Dissenter*, and *Jayl the other*? Wo be to them that keep *false Measures and Scales*, and Ballancies of *deceitful weight*, one to *buy by*, and another to *sell by*. The Prelates indeed have *gained the Ascendant* upon the Affections of the three *last Kings* (which no man envyes, if they make good use of it, and Legal use) Their Influence too has not *been confined to White-Hall*, but has *reach't Westminster-Hall* (I know it, *God knows*) but yet, their Influence seldom reach't so effectually (*further West*) in the two Houses, as to gain *over much* of them there, in my Remembrance, or if they did, *Chronicles are silent therein.*

How therefore they now (of late) or why *In Nomine Domini*, or with what Policy they grow so violent, I cannot *Imagine*; for if the 1 *Edw.* 6. 2. be in Force (of which to me there *seems not the least doubt*) I think we are *in a fine Pickle*, lyable to every *mans Action* whom we have *Illegally vext*, and damnified, and *Imprisoned*, through our *Significavits* in our own Nemes; nay, indeed, as I said, what *Punishment can equal the Merit* of such *Mischiefs*? such Epidemical and *national Mischiefs*? Though I doubt not but this little tract will so *clip our nails*, that we shall *scarce venture* to *scratch terribly* hereafter.

And truly I think, and I *would say it too* (but that it is Immodesty to *commend my own Modesty*) that I have handled them *here as Tenderly and Gingerly* as if I had gone about *to draw* the great *aking Tooth* of the Nation.

ERRATA.

PAge 1. line 27. for Summer Read Sumner. p. 3. l. 8. for Spirituali. R. ad Spiritualia. p. 3 L. 17. for judiciously R. ingeniously. p. 2. l. 51. for-By Partiality, Timidity, R. They declare th: Kings-Laws; by p. 4. L. 14. for Angerys. R. Ayers. p. 4. l. 26. for Embl mishments. R. Embellishment. With many other.

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